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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,456	01/16/2002	Khoi A. Phan	G0244	6520

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EXAMINER

FULLER, RODNEY EVAN

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 11/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/050,456

Applicant(s)

PHAN ET AL.

Examiner

Rodney E Fuller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 2-6 and 9 are objected to because of the following items:
  - a. Claim 2 recites the limitation "the reticle" in line 2. There is insufficient antecedent basis for this limitation in the claim.
  - b. Claims 3-6 and 9 depend from claim 2 and therefore include the deficiencies of claim 2.
2. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Good, et al. (US 4,943,827).

Good (US 4,943,827) discloses all the structure set forth in the claims. Regarding independent claims 1, 12, 17 and 23, Good (US 4,943,827) discloses "...an exposing source (Fig. 2, ref.# 22) operative to expose a substrate (Fig. 2, ref.# 10); a temperature sensor (Fig. 2, ref.# 50) operative to sense temperature characteristics of the substrate; a control system (Fig. 2, ref.# 54) operative to receive temperature information indicative of the temperature characteristics sensed by the temperature sensor, the control system

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being operative to control the exposing source based on the temperature information (column 2, lines 41-46)."

Regarding the dependent claims, Good (US 4,943,827) likewise discloses all the structure set forth in the claims.

5. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Mori, et al. (US 5,610,965)

Mori (US 5,610,965) discloses all the structure set forth in the claims. Regarding independent claims 1, 12, 17 and 23, Mori (US 5,610,965) discloses "...an exposing source (Fig. 1, ref.# 7) operative to expose a substrate (Fig. 1, ref.# 1); a temperature sensor (Fig. 1, ref.# 5) operative to sense temperature characteristics of the substrate; a control system (Fig. 1, ref.# 11) operative to receive temperature information indicative of the temperature characteristics sensed by the temperature sensor, the control system being operative to control the exposing source based on the temperature information (column 4, lines 30-46)."

Regarding the dependent claims, Mori (US 5,610,965) likewise discloses all the structure set forth in the claims.

6. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyai, et al. (US 5,581,324).

Miyai (US 5,581,324) discloses all the structure set forth in the claims. Regarding independent claims 1, 12, 17 and 23, Miyai (US 5,581,324) discloses "...an exposing

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source (Fig. 1, ref.# 1) operative to expose a substrate (Fig. 1, ref.# R); a temperature sensor (Fig. 1, ref.# 53) operative to sense temperature characteristics of the substrate; a control system (Fig. 1, ref.# 20, 54) operative to receive temperature information indicative of the temperature characteristics sensed by the temperature sensor, the control system being operative to control the exposing source based on the temperature information (abstract, lines 8-12)."

Regarding the dependent claims, Miyai (US 5,581,324) likewise discloses all the structure set forth in the claims.

### *Conclusion*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney Fuller whose telephone number is (703) 306-5641. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams, can be reached on (703) 308-2847.

Rodney Fuller  
Primary Examiner



November 25, 2002